

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
DELTA DIVISION**

GEORGE WILLIAMS

PLAINTIFF

VS.

CAUSE NO. 2:12CV00049-JMV

**MICHAEL J. ASTRUE
COMMISSIONER OF SOCIAL SECURITY**

DEFENDANT

ORDER AWARDING ATTORNEY FEES

Before the court is the claimant's application [21] for payment of attorney fees pursuant to the Equal Access to Justice Act ("EAJA"), 28 U.S.C. § 2412. In these proceedings, the claimant sought judicial review of a final decision of the Commissioner of Social Security, denying a claim for benefits. By Judgment [19] dated August 27, 2012, the court remanded this case to the Commissioner for further proceedings. The claimant now seeks attorney fees under the EAJA on the grounds that he was the prevailing party and the Commissioner's position was not "substantially justified." By the application and attached exhibits, the claimant requests an award of \$3,406.25 in attorney fees to be awarded for the benefit of his attorney. The Commissioner does not object to the amount of fees requested.

The court, having considered the foregoing and the record of this case, finds that \$3,406.25 in attorney fees is reasonable and appropriate. Therefore, it is

ORDERED that the claimant's application for payment of attorney fees under the EAJA is hereby **GRANTED**, and the Commissioner shall pay the claimant \$3,406.25 for the benefit of his attorney.

THIS, the 8th day of November, 2012.

**/s/ Jane M. Virden
U.S. MAGISTRATE JUDGE**